

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KENNETH JEROME AYERS, JR.,

Petitioner,

Case No. 1:09-cv-993

v.

Honorable Paul L. Maloney

MARY BERGHUIS,

Respondent.

ORDER

This is a habeas corpus action filed by a prisoner pursuant to 28 U.S.C. § 2254. On November 5, 2009, the Court entered an order (docket #2) requiring Petitioner to file an amended petition on the form provided by the Court. The Court allowed 30 days for Petitioner to comply. Petitioner was warned that if he failed to comply the Court would dismiss his case for want of prosecution.

More than 30 days have elapsed and Petitioner has not filed an amended petition as directed by the Court. Because Petitioner has failed to comply with the Court's order, dismissal of this action without prejudice for want of prosecution is appropriate. Therefore, the Court will issue a Judgment dismissing the action without prejudice.

Dated: January 4, 2010

/s/ Paul L. Maloney

Paul L. Maloney

Chief United States District Judge